

SUMMARY OF INTERVIEW

Attendees, Date and Type of Interview

The in-person interview was conducted on December 11, 2008 and attended by Primary Examiner Leslie R. Deak and Applicants' Attorney of Record, William H. Shreve.

Identification of Claims Discussed

Independent Claims 1, 4, 48, 58, 64, 67 and 70.

Identification of Prior Art Discussed

U.S. Patent No. 4,521,210 to Wong ("Wong"), U.S. Patent No. 5,980,928 to Terry ("Terry") and U.S. Patent Application Publication No. 2005/0119737 to Bene et al. ("Bene").

Proposed Amendments

None.

Principal Arguments and Other Matters

The participants generally discussed the nature of the prior art and how it applies to the instant claims. With regard to Terry, Applicants' representative argued that the disclosure of a large implant designed to be implanted into the eyelid to treat conjunctivitis exterior to the eye is not generally combinable with a small ocular implant as taught by the secondary references (Bene and Wong) and instantly claimed. With regard to Bene, the participants discussed that Bene may not be able to properly claim priority sufficient to predate Applicants' invention.

Results of Interview

The Examiner stated that she tends to agree that Terry is not generally combinable with Bene and Wong (see page 3 of the *Examiner Interview Summary Report* hand-delivered to Applicants' representative at the conclusion of the interview). Applicants' representative agreed to prepare the arguments discussed in the Interview and submit them in a written response to the instant Office Action for consideration by the Examiner.